

§ 781.6

Justice for prosecution in the appropriate District Court to recover the amount of the penalty.

(f) Any amounts approved by the U.S. Department of Agriculture for disbursement to a foreign person under the programs administered by the Department may be setoff against penalties assessed hereunder against such person, in accordance with the provisions of 7 CFR part 13.

[49 FR 35074, Sept. 6, 1984, as amended at 60 FR 67318, Dec. 29, 1995]

§ 781.6 Paperwork Reduction Act assigned number.

The information collection requirements contained in these regulations (7 CFR part 781) have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB control number 0560-0097.

PART 782—END-USE CERTIFICATE PROGRAM

Subpart A—General

Sec.

782.1 Basis and purpose.

782.2 Definitions.

782.3 Administration.

782.4 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

Subpart B—Implementation of the End-Use Certificate Program

782.10 Identification of commodities subject to end-use certificate regulations.

782.11 Extent to which commodities are subject to end-use certificate regulations.

782.12 Filing FSA-750, End-Use Certificate for Wheat.

782.13 Importer responsibilities.

782.14 Identity preservation.

782.15 Filing FSA-751, Wheat Consumption and Resale Report.

782.16 Designating end use on form FSA-751.

782.17 Wheat purchased for resale.

782.18 Wheat purchased for export.

782.19 Penalty for noncompliance.

Subpart C—Records and Reports

782.20 Importer records and reports.

782.21 End-user and exporter records and reports.

782.22 Subsequent buyer records and reports.

782.23 Failure to file end-use certificates or consumption and resale reports.

7 CFR Ch. VII (1-1-10 Edition)

782.24 Recordkeeping and examination of records.

782.25 Length of time records are to be kept.

AUTHORITY: 19 U.S.C. 3391(f).

SOURCE: 60 FR 5089, Jan. 26, 1995, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 782 appear at 61 FR 32643, June 25, 1996.

Subpart A—General

§ 782.1 Basis and purpose.

The regulations contained in this part are issued pursuant to and in accordance with Section 321(f) of the North American Free Trade Agreement Implementation Act. These regulations govern the establishment of the end-use certificate program, the completion of end-use certificates, the identification of commodities requiring end-use certificates, the submission of reports, and the keeping of records and making of reports incident thereto.

§ 782.2 Definitions.

As used in this part and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter requires otherwise. References contained herein to other parts of this chapter or title shall be construed as references to such parts and amendments now in effect or later issued.

Date of entry means the effective time of entry of the merchandise, as defined in 19 CFR part 101.

End Use means the actual manner in which Canadian-produced wheat was used, including, among other uses, milling, brewing, malting, distilling, manufacturing, or export.

End user means the entity that uses Canadian-produced wheat for, among other uses, milling, brewing, malting, distilling, manufacturing, or other use, except resale.

Entity means a legal entity including, but not limited to, an individual, joint stock company, corporation, association, partnership, cooperative, trust, and estate.

Entry means that documentation required by 19 CFR part 142 to be filed